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Attorney for Plaintiffs

Attorneys for Defendants

8 UNITED STATES DISTRICT COURT
 9
 10 NORTHERN DISTRICT OF CALIFORNIA

11 DARIN HEATHERLY AND IRMA)
 RAMIREZ,)
 12)
 Plaintiffs,)
 13 v.)
)
 14 WEST COLLEGE CENTER, LLC;)
 GAGMAR, INC., A CALIFORNIA)
 15 CORPORATION DBA G & G SUPER)
 MARKET; AND NUON PHARA, AN)
 16 INDIVIDUAL DBA PAGE'S DINER,)
)
 17 Defendants.)
 18)

RS
CASE NO.: 3:14-CV-05483-LB

**STIPULATION OF DISMISSAL AND
 [PROPOSED] ORDER THEREON**

19
 20 The Parties, by and through their respective counsel, stipulate to dismissal of this action in
 21 its entirety with prejudice pursuant to Fed.R.Civ.P.41(a)(2). Outside of the terms of the Settlement
 22 Agreement and General Release (“Agreement”) herein, each party is to bear its own costs and
 23 attorneys’ fees. The parties further consent to and request that the Court retain jurisdiction over
 24 enforcement of the Agreement. *See Kokonen v. Guardian Life Ins. Co.*, 511 U.S. 375 (1994)
 25 (empowering the district courts to retain jurisdiction over enforcement of settlement agreements).
 26

27 Therefore, IT IS HEREBY STIPULATED by and between parties to this action through
 28 their designated counsel that the above-captioned action become and hereby is dismissed with
 prejudice pursuant to Federal Rules of Civil Procedure 41(a)(2).

1 This stipulation may be executed in counterparts, all of which together shall constitute
2 one original document.

3 Dated: November 2, 2015

THOMAS E. FRANKOVICH
A PROFESSIONAL LAW CORPORATION

4
5 By: /s/ Thomas E. Frankovich
6 Attorney for Plaintiffs

7 Dated: November 2, 2015

DIANE AQUI
SMITH DOLLAR PC

8
9 By: /s/ Diane Aqui
10 Attorney for Defendants

11 **ORDER**

12 IT IS HEREBY ORDERED that this matter is dismissed with prejudice pursuant to
13 Fed.R.Civ.P.41(a)(2). IT IS FURTHER ORDERED that the Court shall retain jurisdiction for
14 the purpose of enforcing the parties' Settlement Agreement and General Release should such
15 enforcement be necessary

16
17 Dated: 11/2, 2015

18 
19 _____
20 Honorable Richard Seeborg

21 UNITED STATES DISTRICT JUDGE
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